

Rugent

A BILL TO BE ENTITLED

AN ACT

extending to November 1, 1971, the date for filing claims to water rights with the Texas Water Rights Commission; amending Subsection (c), Section 4, Chapter 45, Acts of the 60th Legislature, Regular Session, 1967 (Article 7542a, Vernon's Texas Civil Statutes); and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Subsection (c), Section 4, Chapter 45, Acts of the 60th Legislature, Regular Session, 1967 (Article 7542a, Vernon's Texas Civil Statutes), is amended to read as follows:

"(c) On or before November 1, 1971, every person claiming any water right to which this Section applies shall file with the Commission a statement setting forth the name and address of the claimant, the location and the nature of the right claimed, the stream or watercourse and the river basin in which the right is claimed, the date of commencement of works, the dates and volumes of use of water, together with such other information as may be required by the Commission to show the nature and extent of the claim. Each claimant or owner shall be required to certify under oath that the statements made in support of his claim are true and correct to the best of his knowledge and belief. The Commission shall prescribe forms for the sworn statements, but use of Commission forms shall not be mandatory. On or before January 1, 1968, and June 1, 1969, the Commission shall cause notice of the requirements of this Section to be published once each week for two (2) consecutive weeks in newspapers having general circulation in each county of the state and by first class mail to each user of surface water who has filed a report of water use with the Commission. Upon sworn petition, notice and hearing in the manner prescribed for applications for permits and upon finding of extenuating circumstances and good cause shown for failure to timely file, the Commission may authorize the filing of the sworn statement or statements required by this subsection until entry of a preliminary determination of claims of water right in accordance with Section 5(d) of this Act which includes the area described in the petition of September 1, 1974, if a preliminary determination hasnot been entered."

Section 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage and it is so enacted.

FORM A

(For favorable and unfavorable reports on bills and resolutions, where no committee amendments are recommended.)

COMMITTEE REPORT

Date April 20, 1971

HON. G. F. (GUS) MUTSCHER

Speaker of the House of Representatives.

Sir:

We, your Committee on Conservation & Reclamation, to whom was referred H.B. No. 1272, have had the same under consideration

and beg to report back with recommendation that it { ~~do~~ } pass, and be NOT printed

The Bill was reported from Committee by the following vote:

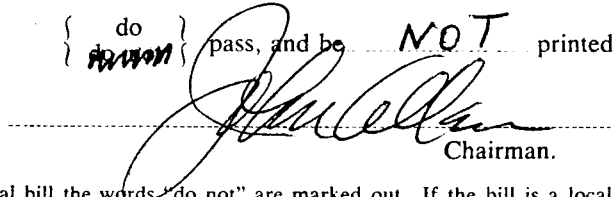
Unanimous voice vote ☒

Majority voice vote

Vote of _____ ayes and _____ nays.

(When this form is used for a favorable report on a general bill the words "do not" are marked out. If the bill is a local bill the word "not" should be inserted before the word "printed." When used for an unfavorable report the word "do" is marked out, the comma after "pass" is changed to a period, and the remaining words also marked out.)

When this form is used for a simple or concurrent resolution the comma after "pass" should be changed to a period and the remaining words stricken out because resolutions are printed in the Journal when first introduced.)


Chairman.

By: Nugent of Kerr

H.B. No. 1272

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each county of the state and by first class mail to each user of surface water who has filed a report of water use with the Commission. Upon sworn petition, notice and hearing in the manner prescribed for applications for permits and upon finding of extenuating circumstances and good cause shown for failure to timely file, the Commission may authorize the filing of the sworn statement or statements required by this subsection until entry of a preliminary determination of claims of water right in accordance with Section 5(d) of this Act which includes the area described in the petition or September 1, 1974, if a preliminary determination has not been entered."

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

MAY 6 1971

Motion to suspend all necessary rules to
consider prevailed by non-record vote.

Dorothy Hallman

Chief Clerk, House of Representatives

MAY 6 1971 READ SECOND

TIME _____ AND

ORDERED _____ ENGROSSED

Dorothy Hallman

Chief Clerk, House of Representatives

MAY 6 1971 Read third time

and Passed

by following vote yeas

146

Dorothy Hallman

Chief Clerk
HOUSE OF REPRESENTATIVES

MAY 6 1971

MOTION TO RECONSIDER THE VOTE BY
WHICH 215-94-1272 WAS
ADOPTED / PASSED AND TO TABLE THE MOTION TO RECON-
SIDER PREVAILED PASSED BY A 100-50 VOTE OF

Dorothy Hallman
CHIEF CLERK HOUSE OF REPRESENTATIVES

MAY - 6 1971 SENT TO ENGROSSING CLERK

1272

Nugent

H.B. _____

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Civil Statutes); and declaring an
emergency.

FILED MAR 11 1971

MAR 22 1971

READ 1ST TIME
AND REFERRED TO COMMITTEE ON

*Conservation &
Reclamation*
Dorothy Hallman

Chief Clerk, House of Representatives

APR 22 1971 REPORTED FAVORABLY ORDERED NOT PRINTED

PRINTED, DISTRIBUTED AND

REFERRED TO COMMITTEE ON

RULES 6:30 P M. APR 22 1971
(Time) (Date)

By: Nugent of Kerr

H.B. No. 1272

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3-11-71 Filed. _____

3-22-71 Read first time and referred to Committee on Conservation and Reclamation. _____

4-22-71 Reported favorably, ordered not printed. _____

4-22-71 Referred to Committee on Rules at 6:30 p.m. _____

5- 6-71 Motion to suspend all necessary rules to consider prevailed by a non-record vote. _____

5- 6-71 Read second time and ordered engrossed by a non-record vote. _____

5- 6-71 Read third time and passed by the following vote:
Yeas 146, Nays 0. _____

Dorothy Hallman
Chief Clerk, H. of R.

5- 6-71 Sent to Engrossing Clerk. _____

5- 6-71 Engrossed. _____

Orea Guggen
Engrossing Clerk, H. of R.

MAY 10 1971 RETURNED FROM ENGROSSING CLERK SENT TO THE SENATE

MAY 10 1971

Received from the House

MAY 10 1971

Read, referred to Committee on Water and Conservation

Reported favorably. _____

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed. _____

Regular order of business suspended by

(unanimous consent.

(_____ yeas, _____ nays.

To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

Read second time _____ passed to third reading.

Caption ordered amended to conform to body of bill.

Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas, _____ nays to place bill on third reading and final passage.

Read third time and passed by _____ (a viva-voce vote.
(_____ yeas, _____ nays.

OTHER ACTION:

Secretary of the Senate

Returned to HOUSE